

City of Joondalup Policy Manual Review – Reviewed policies recommending no changes or minor amendments

Policy Title	Attach #	Recommended action	Policy type	Comment
Dedicated Car Parking for Seniors and Parents with Prams Policy	2	No change to policy	Council	Policy considered relevant and consistent with other policies and City publications. No updates identified for the related documentation section of the Policy.
Payment of Rates and Charges Policy	3	No change to policy	City	Policy considered relevant and consistent with other policies and City publications. No updates identified for the related documentation section of the Policy.
Recovery of Costs Awarded to the City Policy	4	No change to policy	City	Policy considered relevant and consistent with other policies and City publications. No updates identified for the related documentation section of the Policy.
Development Proposals before the State Administrative Tribunal Policy	5	Minor amendments for consistency	City	Policy still considered relevant. Minor wording changes to make the Policy consistent with other City publications.
Naming of Public Facilities	6	Minor amendments for consistency and to update related documentation	City	Policy still considered relevant. Minor wording changes to make the Policy consistent with other City publications and updated related documentation section.
Parking Schemes Policy	7	Minor amendments for consistency	Council	Policy still considered relevant. Minor wording changes to make the Policy consistent with other City publications.
Payments to Employees in Addition to a Contract or Award Policy	8	Minor amendments to responsible directorate	City	Policy considered relevant and consistent with other policies and City publications. Change to directorate responsible for the Policy.
Sustainability Policy	9	Minor amendments for consistency	Council	Policy still considered relevant. Minor wording changes to align the Policy to other City publications.
Vandalism to Vegetation on City Land Policy	10	Minor amendments for consistency	City	Policy still considered relevant. Minor wording changes to align the Policy to other City publications.

Dedicated Car Parking for Seniors and Parents with Prams Policy

Council Policy

Responsible Directorate: Planning and Community Development

Objective: To outline the City's position on the establishment of dedicated parking bays for seniors and parents with prams.

1. Application:

This Policy applies to City of Joondalup facilities and privately-owned land throughout the whole of the district.

2. Definitions:

“**pram**” means a wheeled vehicle used for carrying a young child, which is pushed from behind (e.g.: a perambulator, stroller, buggy, child-carrier etc.).

“**senior**” means a person aged 60 years or over.

3. Statement:

Council recognises the need for a safe passage and ease of mobility for parents of young children and seniors within popular car parking facilities. To achieve this, Council supports the establishment of dedicated parking bays for seniors and parents with prams at City of Joondalup facilities and on privately-owned land.

4. Details:

4.1. Privately-Owned Land:

- a. The City encourages and supports the provision of dedicated parking bays for the exclusive use of seniors and parents with prams on privately-owned land.
- b. Where formally approached by private landowners, the City may undertake enforcement of the use of dedicated parking bays for the exclusive use of seniors and parents with prams, subject to the City entering into a formal agreement with the private landowner.

4.2. City of Joondalup Community Facilities:

- a. The provision of dedicated car parking bays by the City at its community facilities, for exclusive use by seniors and parents with prams, is to take the following criteria into consideration:
 - i. Where the matter impacts on a specific location within the City, those most closely affected are to be consulted.
 - ii. Where the matter concerns service users, participation is to be sought from user groups/organisations and individuals.
 - iii. Where a matter is deemed to impact on all residents and ratepayers of the City, random selection will be used to invite participation from a representative sample of the community.
- b. Any parking bays for exclusive use of seniors and parents with prams at a particular City facility will be clearly marked and signs will be erected alerting the public as to the status of the bays.
- c. Decisions regarding enforcement of the exclusive use of the bays will be made by the City on a case-by-case basis.

Creation Date:	December 2010
Amendments:	CJ093-05/12
Related Documentation:	<ul style="list-style-type: none">• Access and Inclusion Plan• Parking Local Law 2013

Payment of Rates and Charges Policy

City Policy

Responsible Directorate: Corporate Services

Objective: To enable flexibility and choice, appropriate for the needs of the community, in the payment of rates and charges established by the City

1. Statement:

The City of Joondalup recognises that individual financial circumstances differ across the community and that, as a government organisation, it has a fiscal responsibility to meet the community's service expectations with regard to flexible options for the payment of rates and charges that it establishes.

This Policy seeks to guide Council in determining alternative payment options as part of the **Annual Budget** process.

2. Details:

2.1. General Payment Options:

- a. In accordance with the requirements of the **Local Government Act 1995**, and as part of the budget adoption process, the Council will adopt a four payment option for the payment of annual rates and services charges, with payment schedules to form part of the **Annual Budget**.
- b. As part of the budget adoption process, the Council may determine incentive options for early payment of rates and charges.

2.2. Financial Hardship:

- a. The City recognises its responsibility in responding to the needs of residents experiencing severe financial hardship by the ensuring that they are treated with respect, dignity, fairness, equity and confidentiality.
- b. The level of relief applicants may receive will be based on the evidence of genuine hardship because of due to trauma/tragedy, level of income, reliance on social security, illness/disability, business failure or other factors considered relevant by the Chief Executive Officer.

- c. The City will determine the financial contribution amount an applicant may contribute to the reduction of the debt.
- d. If the Chief Executive Officer is satisfied that the contribution will exacerbate the level of hardship, then consideration may be given to writing off all or part of the late payment interest.
- e. In the case of severe financial hardship, as determined by the Chief Executive Officer, the City will not impose additional charges and interest.
- f. Authority is delegated to the Chief Executive Officer to determine alternative payment options based on individual circumstances.

Creation Date: June 1999
Amendments: CJ121-06/02, JSC30-08/04, CJ206-10/05, CJ093-05/12
Related Documentation:

- **Annual Budget**
- **Local Government Act 1995**
- **Register of Delegation of Authority**

Recovery of Costs Awarded to the City Policy

City Policy

Responsible Directorate: Corporate Services

Objective: To obtain monies due to the City.

1. Application:

This Policy applies to situations where court action is taken against the City. It does not apply to ordinary operational situations where the City commences a prosecution for a breach of one of its Laws.

2. Statement:

The City will, as a general principle, seek to recover costs which are awarded to the City as a result of legal proceedings which have been taken against the City by another body. People involved in legal proceedings with the City should be made aware of the Policy.

Creation Date: February 2007

Amendments: CJ093-05/12

Related Documentation: N/A

Development Proposals before the State Administrative Tribunal Policy

City Policy

Responsible Directorate: Planning and Community Development

Objective: To ensure that development matters that are brought before the State Administrative Tribunal and involve the City of Joondalup, are dealt with in an open and accountable manner.

1. Statement:

In accordance with the **State Administrative Tribunal Act 2004** and the **Planning and Development Act 2005**, an applicant who is dissatisfied with the decision of the City or the Council on a Development Application, may seek a review of this decision by the State Administrative Tribunal (SAT).

The City has standard practices for dealing with these matters, which reflect the values of honesty, transparency and inclusiveness. This Policy deals with the high level principles under which development proposals before the State Administrative Tribunal should be considered by the City to inform administrative processes and procedures.

2. Details:

The City will deal with development proposals before the State Administrative Tribunal in a manner that is consistent with the following principles:

- Matters should be heard in public where all parties consent.
- Where permitted by the State Administrative Tribunal, public comment should be obtained on amended plans or modified proposals, if the changes result in the development being likely to impact nearby landowners and affected stakeholders.
- The use of external advocates is supported for complex or controversial matters, and/or where independent assistance would be considered beneficial to the process.
- Where City officers or appointed external advocates attend ~~Development Proposals before the State Administrative Tribunal Policy~~ for the purposes of defending a decision made by the Council, other than a decision made under delegated authority, any outcome achieved through ~~Development Proposals before the State Administrative Tribunal Policy~~ mediation must be referred back to the Council for approval.
- Council should be regularly advised of matters currently before the State Administrative Tribunal and the status of these matters.

Creation Date: October 2005

Formerly:

- **State Administrative Tribunal – Mediation and Revised Development Proposals Policy**

Amendments: CJ206-10/05, CJ093-05/12, CJ163-08/12, CJ254-11/12

Related Documentation:

- **State Administrative Tribunal Act 2004**
- **Planning and Development Act 2005**

Naming of Public Facilities Policy

City Policy

Responsible Directorate: Planning and Community Development

Objective: To guide the process for naming of public facilities.

1. Statement:

The City supports a consistent approach to the naming of public facilities within its district which is guided by State Government standards. As such, the naming of all City streets, reserves and buildings shall be named in accordance with Landgate's ~~Geographic Names Committee Guidelines~~. [Policies and Standards for Geographical Naming in Western Australia](#).

2. Details:

2.1. Parks and Reserves:

~~Subject to the approval of the Council,~~ **P**arks and reserves shall be named after an adjacent boundary road, where possible, to facilitate ease of identification.

2.2. Buildings and Facilities:

~~Subject to the approval of the Council,~~ **B**uildings and facilities shall be named after the locality in which they reside or after an adjacent road, where possible, to facilitate ease of identification.

2.3. Exceptions:

Notwithstanding the approach outlined above, exceptions may be permitted with the prior approval of Council.

Creation Date:

June 1999

Amendments:

CJ093-05/12

Related Documentation:

~~Geographic Names Committee Guidelines~~ [Policies and Standards for Geographical Naming in Western Australia](#).

Parking Schemes Policy

Council Policy

Responsible Directorate: Corporate Services

Objective: To describe the circumstances under which parking schemes are established in the City of Joondalup.

1. Definitions:

“**parking scheme**” means a demarcated area ~~under the~~ where parking prohibitions or restrictions apply.

2. Statement:

The City may introduce parking schemes by resolution of Council or delegated authority. Parking schemes will be introduced where:

- parking demands are causing a hazard to residents and/or other road users;
- parking is damaging City infrastructure or infrastructure owned by other government agencies; and/or
- parking is having a significant detrimental effect on local amenity

3. Details:

3.1. Components of parking schemes:

- a. Parking schemes will be developed to meet the needs of each scheme area and will consist of one, or a combination of the following:
 - Time-restricted parking
 - Limited parking prohibitions
 - Area-wide prohibitions
 - Paid parking
- b. Adopted schemes will aim to provide for the best parking management outcomes.

3.2. Community Engagement Process:

Prior to adoption, proposed parking schemes will be subject to a community engagement process, to the satisfaction of the Chief Executive Officer.

3.3. Parking Permits:

- a. To avoid adverse impacts on local residents, parking permit areas may be established within parking schemes.
- b. Residents within parking permit areas will be entitled to apply for Resident and/or Visitor Parking Permits that exempt their vehicle(s) or the vehicle(s) of their visitors from parking restrictions.
- c. Parking permits will not apply in areas covered by paid parking or where retail premises and time-limited parking applies. This excludes parking permits issued to residents whose properties are on the eastern side of Lakeside Drive, facing Lakeside Drive.
- d. A vehicle with a parking permit is permitted to park in the area or street shown on the parking permit and must comply with the *Conditions of Issue and Use* of the parking permit at all times.

Creation Date:

August 2012

Formerly:

- *Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy*
- *Resident/Visitor Parking Permit Policy*
- *Resident/Visitor Parking Permits for Joondalup City Centre Policy*

Amendments:

CJ126-07/08, CJ014-02/09 CJ183-08/09, CJ171-08/12

Related Documentation:

- *Parking Local Law 2013*
- *Parking Permits — Conditions of Issue and Use*
- *Register of Delegation of Authority*

Payments to Employees in Addition to a Contract or Award Policy

City Policy

Responsible Directorate: ~~Office of the Chief Executive Officer~~ Governance and Strategy

Objective: To give effect to Section 5.50 of the *Local Government Act 1995* in relation to the payment of employees in addition to a contract or award upon leaving the organisation.

1. Authority:

This Policy has been prepared pursuant to Section 5.50 of the *Local Government Act 1995*.

2. Application:

This Policy applies to all employees except those designated as senior employees, in which case the terms of the Contract of Employment and relevant legislation shall apply.

3. Definitions:

“**redundancy**” means a situation where the employer no longer requires a specific position to be performed by a person(s) because of changes in the operational requirements of the organisation.

“**voluntary severance**” means a financial payment made to a person who voluntarily chooses to end their employment in a situation where surplus positions within the organisation are identified.

“**senior employee**” means all employees holding the position of Chief Executive Officer and/or Director in accordance with Section 5.37 of the *Local Government Act 1995* (as amended).

4. Statement:

In order to give effect to Section 5.50 of the *Local Government Act 1995*, the following shall apply.

5. Details:

5.1. General Legislative Compliance:

When finalising redundancy or voluntary severance packages, the consideration of payments in addition to existing entitlements under a contract, award or agreement will be determined by the Chief Executive Officer in accordance with Regulation 19A of the *Local Government (Administration) Regulations 1996*.

This would establish:

- a maximum additional entitlement of \$5,000 for circumstances relating to a redundancy; and
- a maximum entitlement of a person's annual remuneration at the time.

5.2. Eligibility Criteria:

A person's eligibility for such payments will be based on the following criteria:

- The person has been in the employment of the organisation for a continuous period of over ten years.
- Performance records demonstrate a commendable or outstanding level of performance throughout the duration of the person's employment to the satisfaction of the Chief Executive Officer.

5.3. Assessment Criteria:

Additional payments will be calculated on the basis of:

- Two weeks pay for each completed year of service.
- For an annual salary, the cash component will be adjusted to recognise motor vehicle usage in accordance with the current formula contained within the most recent Award.

5.4. Other Employment-Related Court Actions and/or Matters:

The City may pay a severance payment to an employee in settlement of a claim where an employee or former employee has, or proposes to, take action or make a claim under any relevant employment legislation. Any such decision will be made in accordance with Regulation 19A of the *Local Government (Administration) Regulations 1996*.

Creation Date:

October 2005

Formerly:

- *Council Vehicles — Mayor and Council Offices Policy*
- *Employment Policy*
- *Equal Employment Opportunity Policy*
- *Payment to Employees in Addition to Contract or Award Policy*
- *Selective Voluntary Severance Policy*
- *Staff Uniforms Policy*

Amendments:

CJ206-10/05, CJ035-03/13

Related Documentation:

- *Equal Opportunity Act 1984*
- *Fair Work Act 2009*
- *Local Government Act 1995*
- *Workers Compensation and Injury Management Act 1981*

Sustainability Policy

Council Policy

Responsible Directorate: Governance and Strategy

Objective: To outline the City's commitment to integrating sustainable practices into all local government functions and services.

1. Definitions:

“**sustainability**” means meeting the needs of current and future generations through an integration of environmental protection, social advancement, and economic prosperity.

“**Precautionary Principle**” means the avoidance of the risk of serious or irreversible environmental damage will not be postponed because of a lack of full, scientific knowledge.

2. Statement:

In carrying out its functions as a local government, the City of Joondalup will ~~use its best endeavours to meet the needs of current and future generations~~ by through the integration of environmental protection, social advancement and economic prosperity ~~principles within a sound governance frameworks.~~ principles within a sound governance frameworks.

The City will achieve this by:

- demonstrating community leadership through commitment to adopting improved sustainable practices;
- ensuring all policies, strategies and services are financially sustainable ~~over the long term~~ to ensure intergenerational equity;
- ensuring economic development, environmental sustainability and social development contribute to a thriving business environment and community wellbeing; and
- adoption of the “Precautionary Principle” in decision-making processes to ensure the long-term protection of the environment.

Creation Date: December 2005

Formerly:

- Sustainability Statement Policy

Amendments: CJ065-04/06, CJ238-12/06, CJ115-06/13

Related Documentation: • Local Government Act 1995

Vandalism to Vegetation on City Land Policy

City Policy

Responsible Directorate: Infrastructure Services

Objective: To provide a system for restoring vandalised or damaged vegetation on City land and establishing a mechanism for penalising offenders.

1. Application:

This Policy shall apply ies to all land owned or managed by the City.

2. Definitions:

“**vandalism**” or “**damage to vegetation**” means the unlawful destruction, damage or injury to vegetation which can include poisoning, mowing, pruning, removal, breaking and/or ringbarking.

3. Statement:

The City recognises the importance of vegetation in the public realm and the crucial role it plays in providing habitat and food for native fauna. Further, the City’s ~~current roles include that of steward and manager of vegetation, which requires~~ acknowledges its responsibility in educating the community and developers on the value of vegetation in the urban landscape.

To achieve this, it is the City’s position that it ~~should~~ will employ the most appropriate restoration mechanisms on a situation-specific basis and encourage community members to report illegal damage to vegetation on City land. ~~and establish Punitive measures~~ have been established for offenders who intentionally vandalise or damage vegetation.

4. Details:

4.1. Approved Responses:

The City of Joondalup will assess ~~the required site-specific response following~~ vegetation vandalism or damage ~~in order to~~ notify the community of the illegal works and to determine the consequences of vandalising or damaging vegetation on City-owned or -managed land.

In the event of vegetation vandalism or damage, the City may undertake one or more of the following actions:

- a. Erect signage advising of the vegetation vandalism or damage detailing the penalties of such offences, ~~a request~~ing ~~for~~ information from the public regarding the vandalism, and providing site-specific information regarding vegetation removal and replacement proposed.
- b. Leave in situ ~~selected~~ poisoned vegetation, subject to safety requirements, until an agreed timeframe (to be determined on a case-by-case basis or until the vegetation requires removal).
- c. Establish replacement planting following any required remediation works and removal of the poisoned or damaged vegetation (to be determined on a site-by-site basis and may include the placement of two or more ~~of an~~ appropriate plant species at the affected locality).
- d. ~~Establish replacement planting and rehabilitation works following the removal of the poisoned or damaged vegetation (to be determined on a site-by-site basis and may include the placement of two or more of an appropriate plant species at the affected locality, of a similar maturity if possible).~~
- e. When ongoing vandalism occurs, further investigate appropriate responses (such as including referral of closed-circuit television to relevant law enforcement agencies).
- f. Legal action may be taken against any persons caught vandalising vegetation which may result in financial penalties of \$5,000 or more, as per the Local Government Act 1995.

Creation Date: March 2011

Amendments: CJ093-05/12, CJXXX-XX/XX

Related Documentation:

- Local Government Act 1995
- Local Government and Public Property Local Law 2014